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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,737	11/30/2001	Soon-kyo Hong	1293.1290	4485

49455 7590 09/22/2005

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WASHINGTON, DC 20005

EXAMINER

NGUYEN, TU X

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/996,737

**Applicant(s)**

HONG ET AL.

**Examiner**

Tu X Nguyen

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-8 and 10-40 is/are pending in the application.
- 4a) Of the above claim(s) 1 and 9 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7,8,15 and 16 is/are allowed.
- 6) ☒ Claim(s) 2-6,10-14 and 17-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. In view of the Applicant argument filed on 9/2/05, PROSECUTION IS HEREBY REOPENED.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Applicant's arguments filed 9/2/05, claims 2, 10 and 23 have been fully considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 2-3, 6, 10, 14, 17-19, 21-34 and 37, are rejected under 35 U.S.C. 102(e) as being anticipated by Sawada et al. (US Pub. 2001/0021663).

Regarding claims 2, 10 and 23, Sawada et al. disclose an electronic apparatus comprising:

an electronic device including a body (see 21, fig.8); and

a battery (22) coupled to the body to supply current to said electronic device, said battery further comprising a memory unit (42,43, fig.8 ) to store information (see par. 0041, 0055).

Wherein said battery further comprises a primary power connector to connect to said electronic device (see par.008), and a secondary power output port to connect to another device having a controller to supply current thereto to power the controller (see par.051-053, the reproducing device MPEG 3, ATRAC is inherently includes a controller itself and the battery pack 22 is inherently including a secondary power output to provides power to the reproducing device).

Regarding claims 3 and 24-25, Sawada et al. disclose connecting another electronic apparatus to the battery (see par.051); and

Forming another communication pathway between another electronic apparatus and the memory unit to transfer the memory unit to transfer information between the memory unit and the another electronic apparatus (see fig.4).

Regarding claim 6 and 14, Sawada et al. to disclose the memory unit is detachable from said battery (see par.009).

Miyoshi et al. disclose the memory unit is detachable from said battery (see par.0039). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Sawada et al. with the above teaching of Miyoshi et al. in order to provide a memory can be installed freely and also capable of supporting data write to the memory of the cellular phone (as suggested by Miyoshi et al. see par.0002).

Regarding claims 17-19 and 34, Sawada et al. disclose a drive record and/or reproduce data with respect to a recording medium (see par.019).

Regarding claims 21 and 33, Sawada et al. disclose battery unit supplies the stored energy to said memory unit (see par. 0050).

Regarding claims 22 and 24, Sawada et al. disclose power connectors to connect said battery unit to the electronic device to supply the stored energy to the electronic device (see par.008).

Regarding claim 26, Sawada et al. disclose the electronic apparatus and the another electronic apparatus are connected to the battery at the same time (see par.053),

Regarding claims 27, the modified Sawada et al. disclose both the electronic apparatus and the another electronic apparatus are not connected to the battery at the same time (see par.053).

Regarding claims 28, Sawada et al. disclose detaching the battery from the electronic apparatus prior to said connecting the another electronic apparatus to the battery (see par.0019 and 22, fig.8, the battery 22 is an independent unit with its own

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CPU. Therefore, it is self functioned, playing music with headphone on prior to connect to another electronic apparatus).

Regarding claim 29, Sawada et al. disclose the electronic apparatus and the another electronic apparatus are of the same kind (see Sawada, par.043 lines 12-14).

Regarding claim 30, Sawada et al. disclose connecting the electronic apparatus to another battery (see par.043).

Regarding claims 32-33, Sawada et al. disclose detaching the memory unit from the battery while the battery is connected to the electronic device (see par.043, the detachable battery can be lost data if there is no power supplied to it. However, the mobile device is still function where or not the memory chip present or not present in the battery pack).

Regarding claim 37, Sawada et al. disclose the another device retrieves information stored in the memory (see par.010).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 12 and 31, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawada et al. (US Pub. 2001/0021663).

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Regarding claims 4 and 12, Sawada et al. fail to disclose communication port is installed to slide so that a free end of the communication port protrudes to connect to another device. However, Sawada et al. disclose audio device 38 connected to the DSP (see par.048). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Sawada et al. is an external device and being connected with battery pack 22 by a communication port to slide similar to a headphone jack (see 25, fig.6).

Regarding claim 31, Sawada et al. fail to disclose the another battery does not include another memory unit. The examiner takes an Official notice is that the concept the another battery does not include another memory unit is well known in the art. It would have been obvious a mobile device is being supplied power by a conventional battery pack which does not include a memory unit and still capable of providing power to the mobile device.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sawada et al. (US Pub 2001/0021663) in view of Japan Patent 2000165513A

Regarding claim 1.1 Sawada et al. fail to disclose a secondary communicating port to connect said memory unit to another device to exchange information with the another device and which comprises a Universal Serial Bus connector.

Japan Patent discloses a secondary communicating port to connect said memory unit to another device to exchange information with the another device and which comprises a Universal Serial Bus connector (see solution). Therefore, It would have

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been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of the modified Sawada with the above teaching of Japan Patent in order to provide a host computer to USB connector for exchange information with mobile device.

Cooper disclose a communication port to connect the memory unit to another device to exchange information with the another device" (see col.6 lines 30-34).

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Sawada et al. with the above teaching of Cooper in order to enable an external computer to read and write to battery pack's memory.

8. Claims 5 and 13, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawada et al. (US Pub 2001/0021663) in view of Griffith et al. (US Patent 6,917,280).

Regarding claims 5 and 13, Sawada et al. fail to disclose communication port is disposed to be flipped out from a body of said battery at a predetermined angle.

Griffith et al. disclose a communication port is to be flipped out from a body at a predetermined angle (see col.7 lines 20-21). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of the modified Sawada with the above teaching of Griffith et al. in order to provide a micro-size connector to conserve space.



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9. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sawada et al. (US Pub 2001/0021663) in view of Tringali et al. (US Patent 6,545,891).

Regarding claim 20, Sawada et al. disclose communication pathway between memory unit and the electronic device (see par.0041). However, Sawada et al. fail to disclose a printed circuit board.

Tringali et al. disclose a printed circuit board (see col.2 lines 24-27). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Sawada et al. with the above teaching of Tringali et al. in order to provide memory device with support elements to plug/contact with other electronic device.

10. Claims 35-36 and 38-40, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawada et al. (US Pub 2001/0021663) further in view of Wang (US Pub. 2003/0013506).

Regarding claim 35, the modified Sawada et al. fail to disclose the another device comprises a personal digital assistant.

Wang discloses disclose the another device comprises a personal digital assistant (see par.0022). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Sawada et al. with the above teaching of wang in order to provide a battery assembly is applicable to variety of portable electronic products and bring convenience to the end-usrs.

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Regarding claims 36 and 38-40, the modified Sawada et al. fail to disclose the another device comprises a computer, portable phone, a PDA and combinations thereof.

Wang discloses the another device comprises a computer, portable phone, a PDA and combinations thereof (see par.0022). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of the modified Sawada et al. with the above teaching of wang in order to provide a battery assembly is applicable to variety of portable electronic products and bring convenience to the end-users.

#### ***Allowable Subject Matter***

11. Claims 7-8 and 15-16 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding independent claims 7 and 15, the prior arts fails to teach "battery further comprising a memory unit to store information, wherein the memory unit comprises a disk drive using a disk as a recording medium", as cited in the claims.

#### **Conclusion**

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed Tu Nguyen whose telephone number is 571-272-7883. The examiner can normally be reached on Monday through Friday from 8:30AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MAUNG NAY A, can be reached at (571) 272-7882. The

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fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

TN

September 15, 2005

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